

AMENDED IN SENATE AUGUST 9, 2006

AMENDED IN SENATE JUNE 26, 2006

AMENDED IN ASSEMBLY JANUARY 4, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 523

Introduced by Assembly Member ~~Negrete-McLeod~~ Umberg
(Coauthors: Assembly Members Daucher and Tran)

February 16, 2005

An act to amend Sections Section 81450 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 523, as amended, ~~Negrete-McLeod~~ Umberg. Community college districts: sale of property.

Existing law authorizes the governing board of a community college district to sell for cash, to the highest bidder, any personal property belonging to the district if the property is not required for school purposes, if it should be disposed of for the purpose of replacement, or if it is unsatisfactory or not suitable for school use.

This bill would specifically authorize the governing board of a community college district to sell, for less than fair market value, a nonprofit educational television station licensed by the Federal Communications Commission (FCC) that the district deems to be surplus property of the district, to a nonprofit organization seeking a nonprofit educational FCC license for the purpose of qualifying for Corporation for Public Broadcasting grants in the public broadcasting system, if the governing board adopts a resolution, as prescribed.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 81450 of the Education Code is
2 amended to read:
3 81450. (a) The governing board of a community college
4 district may sell for cash any personal property belonging to the
5 district if the property is not required for school purposes, if it
6 should be disposed of for the purpose of replacement, or if it is
7 unsatisfactory or not suitable for school use. There shall be no
8 sale until notice has been given by posting in at least three public
9 places in the district for not less than two weeks, or by
10 publication for at least once a week for a period of not less than
11 two weeks in a newspaper published in the district and having a
12 general circulation there; or, if there is no such newspaper, then
13 in a newspaper having a general circulation in the district; or, if
14 there is no such newspaper, then in a newspaper having a general
15 circulation in a county in which the district or any part thereof is
16 situated. The board shall sell the property to the highest
17 responsible bidder, or shall reject all bids.
18 (b) The governing board may choose to conduct any sale of
19 personal property authorized under this section by means of a
20 public auction conducted by employees of the district or other
21 public agencies, or by contract with a private auction firm. The
22 board may delegate to the district employee responsible for
23 conducting the auction the authority to transfer the personal
24 property to the highest responsible bidder upon completion of the
25 auction and after payment has been received by the district.
26 (c) Notwithstanding any other provision of this article, the
27 governing board of a community college district may sell, for
28 less than fair market value, a nonprofit educational television
29 station licensed by the Federal Communications Commission that
30 the district deems to be surplus property of the district, to a
31 nonprofit organization seeking a nonprofit educational Federal
32 Communications Commission license for the purpose of
33 qualifying for Corporation for Public Broadcasting grants in the
34 public broadcasting system, if the governing board adopts a
35 resolution stating that the district, for that purpose, will sell or

- 1 transfer such a property, for less than fair market value, to—such
- 2 ~~an organization~~ *a nonprofit organization seeking a nonprofit*
- 3 *educational Federal Communications Commission license.*

O